

REMARKS

Applicant respectfully requests reconsideration of this application. Claims 1-20 were pending. Claims 1, 4, 7, 10, 13, and 16 have been amended. Claims 3, 9, and 15 have been canceled without prejudice. Claims 1-2, 4-8, 10-14, and 16-20 remain pending.

In the Office Action, Figures 1-2 were objected to. Accordingly, Applicant has amended Figures 1-2. Replacement sheets of the amended figures are respectfully submitted with the current response. Withdrawal of the objection is respectfully requested.

Claims 1, 2, 5-8, 11 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over the alleged Applicant's Admitted Prior Art (AAPA), in view of U.S. Patent No. 5,790,615 of Beale et al. ("Beale"). Applicant respectfully traverses the rejection.

Claim 1 as amended sets forth:

..., wherein providing the feedback comprises
counting clock edges of the first clock signal on the first source,
counting clock edges of the second clock signal on the second source, and
sending a signal to the second source when clock edges of the first clock signal differ in number from clock edges of the second clock signal for a period of time.
(Claim 1, lines 11-14).

In contrast, neither AAPA and Beale discloses the above limitations. As admitted in the Office Action, the AAPA does not disclose providing a feedback (Office Action, p. 3). As to Beale, a clock controller 100 monitors a data buffer count difference (CNT), which is the difference between the *actual count of samples within a data buffer* 32 (Beale, col. 10, ln. 30-33, 43-46). Beale does not teach counting *clock edges*. Therefore, a combination of AAPA and Beale does not teach every limitation set forth in claim 1 as

amended. For at least this reason, claim 1 as amended is patentable over AAPA and Beale. Withdrawal of the rejection is respectfully requested.

For the reason discussed above with respect to claim 1, claims 7 and 13 are patentable over AAPA and Beale. Withdrawal of the rejection is respectfully requested.

Claims 2, 5-6, 8, 11, 12, 14, and 17-20 depend, directly or indirectly, from claims 1, 7, and 13, respectively. Thus, having additional limitations, claims 2, 5-6, 8, 11-12, 14, and 17-20 are patentable over AAPA and Beale. Withdrawal of the rejection is respectfully requested.

Furthermore, with respect to claim 13, the Office Action noted that DRAM is conventionally used to store program and graphics information in an operating computer system and having it coupled to the graphics controller would be an obvious choice for one skilled in the art. Likewise, with respect to claim 20, the Office Action noted that the graphics memory controller hub is used within a computer system. If the Examiner is relying on facts which are not of record as common knowledge to arrive at Applicant's claim limitations noted above, then the **Examiner is respectfully requested to provide evidentiary support of such.** The Examiner's attention is directed to MPEP 2144.03(c). Absent such submission of evidentiary support, Applicant submits that the rejection of claims 13-20 under 35 U.S.C. §103(a) based solely on Beale and AAPA does not render the claim unpatentable. Therefore, Applicant submits that claims 14 and 16-20 are dependent from claim 13, and thus, having more limitations, claims 14 and 16-20 are patentable over the cited reference.

Claims 1, 3, 4, 7, 9, 10, 13, 15 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over the alleged Applicant's Admitted Prior Art (AAPA) in view of U.S. Patent No. 4,639,680 of Nelson ("Nelson"). Applicant respectfully traverses the

rejection. Claim 1 as amended sets forth providing the feedback comprises “sending a signal to the second source *when clock edges of the first clock signal differ in number from clock edges of the second clock signal for a period of time*” (Claim 1, emphasis added). In contrast, neither AAPA nor Nelson disclose the above limitation. As admitted in the Office Action, AAPA does not disclose providing a feedback (Office Action, p. 3).

According to Nelson, the borrow output terminals B of the U-D counters 17 and 18 provide output signals *when the counters overflow on a down count*. These signals represent phase errors between the input signal and the reference square wave. (Nelson, col. 3, ln. 64-68). Nelson does not teach sending a signal to the second source *when clock edges of the first clock signal differ in number from clock edges of the second clock signal for a period of time*. Therefore, a combination of AAPA and Nelson still lacks every limitation set forth in claim 1 as amended. For at least this reason, claim 1 is patentable over AAPA in view of Nelson. Withdrawal of the rejection is respectfully requested.

In addition to, or as an alternative to, the above reason, claim 1 as amended is patentable over AAPA and Nelson for the following reason. At the time of the invention, one of ordinary skill in the art would not have been motivated to modify the prior method described in the background of the current application with Nelson. The Office Action argued that it would have been obvious to one skilled in the art to combine the teachings of AAPA and Nelson to produce a device as claimed in claim 1. According to the Office Action, the “motivation for doing so would have been to correct the problems caused by the clock frequencies being different **as noted by the AAPA.**” (Office Action, p. 8; emphasis added). However, the Federal Circuit admonished against relying on *knowledge gleaned only from applicant’s disclosure.* In re McLaughlin, 443 F.2d 1392,

1396 (Fed. Cir. 1971). As noted in the Office Action, the alleged motivation to make the proposed modification was gleaned only from Applicant's disclosure in the current application. Without the benefit of Applicant's disclosure in the current application, one of ordinary skill in the art at the time of the invention would not have been motivated to modify the prior method described in the background of the current application with Nelson. Therefore, it is respectfully submitted that claim 1 is not obvious in view of AAPA and Nelson. Withdrawal of the rejection is respectfully requested.

For at least the reasons discussed above with respect to claim 1, claims 7 and 13 are patentable over AAPA and Nelson. Claims 4, 10, and 16 depend from claims 1, 7, and 13, respectively. Thus, having additional limitations, claims 4, 10, and 16 are patentable over AAPA and Nelson for at least the reasons discussed above with respect to claim 1. Withdrawal of the rejection is respectfully requested.

CONCLUSION

Applicant respectfully submits that the rejections have been overcome by the remarks, and that the pending claims are in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the pending claims be allowed.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. If any other petition is necessary for consideration of this paper, it is hereby so petitioned.

If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,
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IN THE DRAWING

Figures 1 and 2 have been amended by adding a legend “--Prior Art--.”

Replacement sheets of the drawings are enclosed with the current response.